

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MICHAEL GROARK,

Petitioner,

-against-

WILLIAM PHILLIPS, Superintendent,  
Green Haven Correctional Facility;  
and ELIOT SPITZER, New York  
State Attorney General,

Respondents.

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JUDGMENT  
04-CV- 4876 (DGT)

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ OCT 31 2005 ★

**BROOKLYN OFFICE**

A Memorandum and Order of Honorable David G. Trager, United States District Judge, having been filed on October 26, 2005, granting respondents' motion to dismiss the § 2254 petition for a writ of habeas corpus; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondents; and that respondents' motion to dismiss the § 2254 petition for a writ of habeas corpus is granted.

Dated: Brooklyn, New York  
October 26, 2005

ROBERT C. HEINEMANN  
Clerk of Court